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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 Debtor.

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

In re:
 USA SECURITIES, LLC,
 Debtor.

Affects:

- ☐ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Securities, LLC
- ☐ USA Capital Realty Advisors, LLC
- ☒ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA First Trust Deed Fund, LLC

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

Chapter 11

Jointly Administered Under
 Case No. BK-S-06-10725-LBR

**STIPULATION FOR
 WITHDRAWAL OF PROOF OF
 CLAIM NO. 10727-00149**

USA Capital Diversified Trust Deed Fund, LLC ("DTDF") hereby stipulates with
 Florence and Audrey O'Sullivan ("Claimants") as follows:

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1 1. On or about November 8, 2007, Claimants filed Proof of Claim No. 10727-00149
2 against DTDF in the amount of \$96,094.65 (the "Proof of Claim").

3 2. Claimants attached documentation to the Proof of Claim that Claim 10727-00149
4 is an investment in DTDF.

5 3. DTDF, upon reviewing DTDF's books and records, has determined that Claimants
6 in fact hold an allowed equity interest in DTDF in the amount of \$96,094.65, as of April 13, 2006
7 (the "Petition Date").

8 4. On November 8, 2007, DTDF's counsel contacted Claimants' counsel and
9 explained that Claimants have an allowed equity interest in DTDF in the amount of \$96,094.65,
10 and Claimants agreed to stipulate to withdraw the Proof of Claim.

11 5. This stipulation shall not affect any other claims filed by Claimants in these
12 jointly-administered bankruptcy cases.

13 6. This stipulation shall not affect either the amount or validity of Claimants' equity
14 interest in DTF as reflected in DTDF's books and records as of the Petition Date.

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1 WHEREFORE, based on the stipulation set forth above, the parties hereby agree and
2 request that the Court approve this stipulation as an order of the Court pursuant to Fed. R. Bankr.
3 P. 3006, as follows:

- 4 1. Proof of Claim No. 10727-00149 against DTDF is hereby withdrawn.
- 5 2. Claimants' equity interest in DTDF is allowed in the amount of \$96,094.65, as
6 reflected in DTDF's books and records as of the Petition Date.

7 DATED this 4th day of JANUARY, 2008.

8 SNELL & WILMER L.L.P.

LAW OFFICES OF JAMES M. SULLIVAN

9 By: 

By: 

10 Robert Kinas (Nevada Bar No. 6019)
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14 and
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